

REMARKS

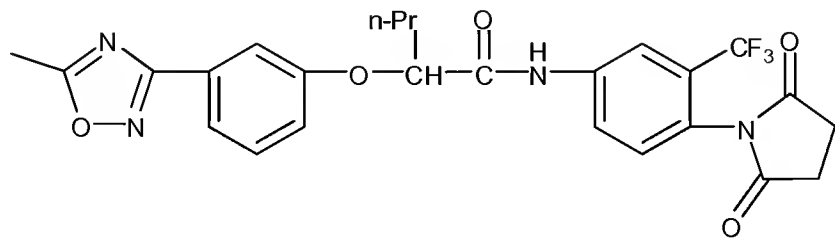
Claims 1, 16, and 18 have been amended.

Claim 1 has been amended by deleting the structure of formula I, in which the A ring is substituted with $-(R^1)_{0-4}$, with a structure in which no substituents are displayed on the A ring. This amendment is made because in a previous amendment the definition of the A ring was amended to display the specific moieties in the present definition of the A ring, which moieties include the R^1 substituents. Thus, the amendment was made to avoid redundant recitation of the R^1 substituents on the A ring.

Claim 1 is also amended to delete optionally substituted heterocyclyl from the definition of R^3 . Similarly, claims 16 and 18 were amended to delete optionally substituted heterocyclyl from the definition of R^3 .

The claims were rejected as anticipated by WO 02/057236 for its disclosure of 2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-4-(2,5-dioxopyrrolidin-1-yl)phenyl]-2-valeramide. But the applicants submit that no structure can be crafted from this name due to the recitation of 2-valeramide; there is no such thing. Thus, WO 02/05/057236 does not anticipate the present claims.

In a teleconference between the undersigned and the examiner on February 11, 2011, the examiner directed attention to pages 545-546 of the 616 page Examiner's search strategy and results dated July 14, 2010. Those two pages disclose the STN search results for the WO 02/057236 and, in particular, the compound name N-[4-(2,5-dioxo-1-pyrrolidiny)-3-(trifluoromethyl)phenyl]-2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-pentanamide and corresponding structure,



both of which are displayed on page 546 of the search results. But this compound corresponds to 2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-4-(2,5-dioxopyrrolidin-1-yl)phenyl]-valeramide, not 2-[3-(5-methyl-1,2,4-oxadiazol-3-yl)phenoxy]-N-[3-trifluoromethyl-

4-(2,5-dioxopyrrolidin-1-yl)phenyl]-2-valeramide. So, because WO 02/057236 does not disclose the compound depicted above, it cannot anticipate the claims for this reason.

As the rejection over WO 02/057236 was the only rejection made in the final rejection and was improper, not only should the rejection be withdrawn, the finality of the rejection should be withdrawn as well and the claims either allowed or, if the claims have not yet been searched to their full scope, the search and examination continued to the full extent permitted by the prior art, up to the full extent of the claims.

If it is believed that a teleconference will advance prosecution, the examiner is encouraged to contact the undersigned as indicated below.

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